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**TITLE 329 SOLID WASTE MANAGEMENT DIVISION**

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**IC 13-14-9.5 NOTICE OF FINAL READOPTION**

LSA Document #20-188(F)

Readopts rules in anticipation of [IC 13-14-9.5-2](#), providing that an administrative rule adopted under [IC 13-14-9](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

**PURPOSE OF NOTICE**

Under [IC 13-14-9.5-4\(c\)](#), the Indiana Department of Environmental Management (IDEM) is publishing a notice of readoption of rules in Title 329 of the Indiana Administrative Code. With this notice, IDEM is providing notification that the following rules are readopted:

**READOPTED RULES:**

<a href="#">329 IAC 1-1</a>	Provisions Applicable Throughout Title 329
<a href="#">329 IAC 7.1-1</a>	General Provisions; Definitions
<a href="#">329 IAC 7.1-2-1</a>	Definitions
<a href="#">329 IAC 7.1-2-2</a>	"Community water system" defined
<a href="#">329 IAC 7.1-2-3</a>	"Ecologically sensitive area" defined
<a href="#">329 IAC 7.1-2-4</a>	"Free product" defined
<a href="#">329 IAC 7.1-2-6</a>	"Hazardous substances response site" defined
<a href="#">329 IAC 7.1-2-7</a>	"Maximum contamination level" or "MCL" defined
<a href="#">329 IAC 7.1-2-8</a>	"Notification of release" defined
<a href="#">329 IAC 7.1-2-10</a>	"Off-site" defined
<a href="#">329 IAC 7.1-2-11</a>	"On-site" defined
<a href="#">329 IAC 7.1-2-12</a>	"Remediation work plan" defined
<a href="#">329 IAC 7.1-3</a>	Incorporation by Reference
<a href="#">329 IAC 7.1-5</a>	Transition
<a href="#">329 IAC 7.1-6</a>	Reprioritization
<a href="#">329 IAC 7.1-7</a>	Completion of Remediation
<a href="#">329 IAC 7.1-8</a>	Hazard Removals
<a href="#">329 IAC 10-11-7</a>	Demonstration and determination of need requirements
<a href="#">329 IAC 10-15-9</a>	Baled waste management plan
<a href="#">329 IAC 10-16-11</a>	Setbacks
<a href="#">329 IAC 10-16-12</a>	Reduction of setback distances
<a href="#">329 IAC 10-18</a>	Municipal Solid Waste Landfills; Vertical Expansions
<a href="#">329 IAC 10-20-30</a>	Manifest requirements for waste received from transfer stations
<a href="#">329 IAC 10-20-31</a>	Requirements for receipt of baled waste
<a href="#">329 IAC 10-20-32</a>	Incidental disposal of small amounts of whole waste tires

**RULES TO EXPIRE:** None.

**AUTHORITY:** [IC 13-14-9.5](#).

**HISTORY**

First Notice of Comment Period: April 8, 2020, Indiana Register (DIN: [20200408-IR-329200188BNA](#)).

**SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING**

This rulemaking is required under [IC 13-14-9.5](#), which provides for the expiration and readoption of administrative rules. The rules listed to be readopted have an expiration date of January 1, 2021. IDEM has chosen to readopt all affected rules at one time rather than readopt each rule separately as its expiration date approaches.

Under [IC 13-14-9.5-4](#), the department or board that has rulemaking authority under Title 13 may readopt all rules subject to expiration under one rule that lists all rules that are readopted by their titles and subtitles only. If no comments are received during the first comment period, IDEM may submit the rule for filing with the Publisher under [IC 4-22-2-35](#) and publish a notice in the Indiana Register that the agency has readopted the rule.

## STATUTORY AND REGULATORY REQUIREMENTS

[IC 13-14-9.5-4](#) requires that the following procedures be followed to readopt rules:

- (1) A notice listing all rules to be readopted by their titles and subtitles must be submitted to the Publisher for publication in the Indiana Register.
- (2) If a person submits a written request and a basis for the request during the first comment period that a particular rule be readopted separately from the readoption rule that readopts all rules in one rulemaking, the agency shall:
  - (A) consider readoption of that rule separately from the readoption rule; and
  - (B) follow the procedure for adoption of administrative rules under [IC 13-14-9](#) with respect to that rule.
- (3) If no written request is provided within the first comment period, the agency may submit the rule for filing with the Publisher under [IC 4-22-2-35](#) and publish a notice in the Indiana Register that the agency has readopted the rule.

## NOTICE OF READOPTION

The following rules received no comments during the first notice of comment period requesting that a particular rule be readopted separately from the readoption rule that readopts all rules in one rulemaking and are not exempt from the readoption process under [IC 13-14-9.5](#):

[329 IAC 1-1](#)  
[329 IAC 7.1-1](#)  
[329 IAC 7.1-2-1](#)  
[329 IAC 7.1-2-2](#)  
[329 IAC 7.1-2-3](#)  
[329 IAC 7.1-2-4](#)  
[329 IAC 7.1-2-6](#)  
[329 IAC 7.1-2-7](#)  
[329 IAC 7.1-2-8](#)  
[329 IAC 7.1-2-10](#)  
[329 IAC 7.1-2-11](#)  
[329 IAC 7.1-2-12](#)  
[329 IAC 7.1-3](#)  
[329 IAC 7.1-5](#)  
[329 IAC 7.1-6](#)  
[329 IAC 7.1-7](#)  
[329 IAC 7.1-8](#)  
[329 IAC 10-11-7](#)  
[329 IAC 10-15-9](#)  
[329 IAC 10-16-11](#)  
[329 IAC 10-16-12](#)  
[329 IAC 10-18](#)  
[329 IAC 10-20-30](#)  
[329 IAC 10-20-31](#)  
[329 IAC 10-20-32](#)

Therefore, the above-listed rules are readopted under [IC 13-14-9.5-4](#). The rules have been submitted to the Publisher for filing and are effective 30 days after that filing date. The rules will remain in effect until their next expiration date, January 1, 2027. However, all rules are subject to amendment or repeal under IDEM's regular rulemaking process found at [IC 13-14-9](#).

*LSA Document #20-188(F)*

*First Notice of Comment Period: [20200408-IR-329200188BNA](#)*

*Filed with Publisher: May 27, 2020, 9:00 a.m.*

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An [html](#) version of this document.